



ATTORNEY'S DOCKET NUMBER: 2003080-0089 (SK-744-CON5)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Danishefsky *et al.*  
Serial No.: 10/058,695  
Filed: January 28, 2001  
For: *Synthesis of Epothilones, Intermediates Thereto, Analogues and Uses Thereof*

Examiner: T. Solola  
Group Art Unit: 1626

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

Sir:

**AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111**

In response to the Official Action mailed April 16, 2002, Applicant respectfully requests consideration of the following amendments and remarks. The deadline for response to this Office Action without fees is July 16, 2002; thus, the response submitted on **July 16, 2002**, is timely.

**REMARKS**

Claims 59-95 are pending in the above-referenced application. The Examiner has rejected claims 59-95 under 35 U.S.C. § 103(a) and 35 U.S.C. § 101, and has rejected claims 87-95 under 35 U.S.C. § 112, first and second paragraphs, and claim 63 under 35 U.S.C. § 112, second paragraph. Additionally, the Examiner has also objected to claims 59 and 60. With this response Applicant has added claims 96-122, canceled claims 60, 65, 81, and 88, and amended claims 59, 61, 63, 64, 66-75, 79, 80, 82, 83, 85-87, 89, and 95. Applicant respectfully submits that no new matter is presented with these amendments or additions. Furthermore, Applicant reserves the right to prosecute without prejudice in a future application subject matter canceled or amended from the claims by the Amendment submitted herewith. Applicant respectfully requests consideration of the amendments and arguments presented herein, and respectfully submits that claims 59, 61-80, 82-87, and 89-122 are in condition for allowance.

***I. Amendment of Claims:***

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231 on July 16, 2002

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